

Exhibit L

Rzepela-Auch, Deborah (PHL - X46866)

From: Thanasombat, Siri@DFEH <Siri.Thanasombat@dfeh.ca.gov>
Sent: Friday, February 4, 2022 12:02 PM
To: Begley, Sara A (PHL - X49531); Rzepela-Auch, Deborah (PHL - X46866)
Cc: Tellado, Tina (LAX - X52442); Mercado, Maria@DFEH
Subject: RE: Notice of Cause Finding and Mandatory Dispute; Case Name: Kish / TESLA, Inc. dba TESLA Motors. Inc. Case Number: 201906-06540918

[External email]

Dear Ms. Begley,

Thank you for your letter and your email that the cancellation was only of Ms. Angela Oh's Zoom link. Brandon Coen confirmed that our mediation is scheduled for a full day on February 8. We intend to go forward with the mediation on that date. If you have not heard from Mr. Coen, his email address is Brandon.coen@dfeh.ca.gov. A DFEH representative with authority to resolve the matter will be attending the mediation on February 8.

Best,
Siri

From: Begley, Sara A (PHL - X49531) <Sara.Begley@hklaw.com>
Sent: Thursday, February 3, 2022 4:41 PM
To: Rzepela-Auch, Deborah (PHL - X46866) <Deborah.Rzepela-Auch@hklaw.com>
Cc: Thanasombat, Siri@DFEH <Siri.Thanasombat@dfeh.ca.gov>; Tellado, Tina (LAX - X52442) <Christina.Tellado@hklaw.com>; Mercado, Maria@DFEH <Maria.Mercado@dfeh.ca.gov>
Subject: Re: Notice of Cause Finding and Mandatory Dispute; Case Name: Kish / TESLA, Inc. dba TESLA Motors. Inc. Case Number: 201906-06540918

[EXTERNAL] This email originated from outside DFEH. Do not click links or open attachments unless you recognize the sender and know the content is safe.

It appears that the cancellation message was simply of Ms. Oh's zoom link.

Sent from my iPhone

On Feb 3, 2022, at 5:55 PM, Rzepela-Auch, Deborah (PHL - X46866) <Deborah.Rzepela-Auch@hklaw.com> wrote:

Ms. Thanasombat. Please see the attached correspondence in the above-referenced matter. Thank you.

Deborah A. Rzepela-Auch | Holland & Knight
Senior Paralegal
2929 Arch Street, Suite 800 | Philadelphia, Pennsylvania 19104
Phone 445.888.6866 | Fax 215.867.6070
deborah.rzepela-auch@hklaw.com | www.hklaw.com

From: Thanasombat, Siri@DFEH <Siri.Thanasombat@dfeh.ca.gov>
Sent: Tuesday, January 18, 2022 11:45 PM
To: Begley, Sara A (PHL - X49531) <Sara.Begley@hklaw.com>
Cc: Tellado, Tina (LAX - X52442) <Christina.Tellado@hklaw.com>; Mercado, Maria@DFEH <Maria.Mercado@dfeh.ca.gov>
Subject: Re: Notice of Cause Finding and Mandatory Dispute; Case Name: Kish / TESLA, Inc. dba TESLA Motors. Inc. Case Number: 201906-06540918

[External email]

Dear Ms. Begley,

In light of Tesla's acceptance of DFEH's condition, as stated in your email dated 1/18/22 (5:42 pm PST), DFEH agrees to extend the mandatory mediation to February 8, 2022. The DRD mediator will be contacting you with more details about the mediation, which will be conducted through Zoom.

We look forward to meeting with you.

Siri

On Jan 18, 2022, at 5:42 PM, Begley, Sara A (PHL - X49531) <Sara.Begley@hklaw.com> wrote:

[EXTERNAL] This email originated from outside DFEH. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Thanasombat. Pursuant to our discussion, please see the slightly revised agreement in accordance with our phone conversation earlier today which includes the EEOC and will extend from the moment DFEH's confirms the February 8, 2022 mediation date until the conclusion of mediation on February 8 (or as further agreed to by the parties). Tesla agrees as follows:

With respect to scheduling this mandatory mediation, we understand that DFEH requires Tesla to agree to the following condition: That neither Tesla nor its counsel will discuss, negotiate or move with intent to settle any of the allegations that may be related to the DFEH Director's Complaint, **including any communications with the EEOC**, up to and including the date of mediation. Without commenting on the propriety of this condition, Tesla agrees to the above-stated condition in order to secure the February 8, 2022 mediation date.

I am pleased that our phone call this afternoon helped us to reach this agreement. Thank you for your cooperation. We look forward to a productive mediation on February 8.

From: Thanasombat, Siri@DFEH <Siri.Thanasombat@dfeh.ca.gov>
Sent: Tuesday, January 18, 2022 7:30 PM
To: Begley, Sara A (PHL - X49531) <Sara.Begley@hklaw.com>
Cc: Tellado, Tina (LAX - X52442) <Christina.Tellado@hklaw.com>; Mercado, Maria@DFEH <Maria.Mercado@dfeh.ca.gov>
Subject: RE: Notice of Cause Finding and Mandatory Dispute; Case Name: Kish / TESLA, Inc. dba TESLA Motors. Inc. Case Number: 201906-06540918

[External email]

Dear Ms. Begley.

Thanks for speaking with us this afternoon. On January 18, 2022, you wrote:

“With respect to scheduling this mandatory mediation, we understand that DFEH requires Tesla to agree to the following condition: That neither Tesla nor its counsel will discuss, negotiate or move with intent to settle any of the allegations that may be related to the DFEH Director’s Complaint. Without commenting on the propriety of this condition, Tesla agrees to the above-stated condition in order to secure the February 8, 2022 mediation date.”

DFEH will agree to extend the mediation to February 8th if you agree that your language regarding our condition, as copied above, also applies to the EEOC.

Please note that the California Department of Fair Employment and Housing is the only government agency with the authority to prosecute and settle FEHA and related state claims. Decades ago, the Ninth Circuit made clear that “EEOC has no power to extinguish state claims or state statutory rights.” *E.E.O.C. v. Pan Am. World Airways, Inc.*, 897 F.2d 1499, 1507 (9th Cir. 1990) (“*Pan Am.*”). California courts agree. *Victa v. Merle Norman Cosms., Inc.*, 19 Cal. App. 4th 454, 463 (1993) (“the inability to assert the broader remedies of California law in the EEOC case derived not from limitations on the courts but from limitations of the EEOC’s power.”).

Please let me know by 6 PM PST today if Tesla will agree to this clarification regarding the EEOC.

Siri

From: Rzepela-Auch, Deborah (PHL - X46866) <Deborah.Rzepela-Auch@hklaw.com> **On Behalf Of** Begley, Sara A (PHL - X49531)
Sent: Tuesday, January 18, 2022 1:20 PM
To: Thanasombat, Siri@DFEH <Siri.Thanasombat@dfeh.ca.gov>
Cc: Mercado, Maria@DFEH <Maria.Mercado@dfeh.ca.gov>; Tellado, Tina (LAX - X52442) <Christina.Tellado@hklaw.com>
Subject: RE: Notice of Cause Finding and Mandatory Dispute; Case Name: Kish / TESLA, Inc. dba TESLA Motors. Inc. Case Number: 201906-06540918

[EXTERNAL] This email originated from outside DFEH. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Thanasombat:

It is Tesla's continued desire to mediate in good faith on February 8, 2022. With respect to scheduling this mandatory mediation, we understand that DFEH requires Tesla to agree to the following condition: That neither Tesla nor its counsel will discuss, negotiate or move with intent to settle any of the allegations that may be related to the DFEH Director's Complaint. Without commenting on the propriety of this condition, Tesla agrees to the above-stated condition in order to secure the February 8, 2022 mediation date. To the extent you would like to discuss or require any other clarity, I am available at (267) 262-1880. We look forward to a productive mediation on February 8, 2022. Please confirm.

From: Begley, Sara A (PHL - X49531)

Sent: Tuesday, January 18, 2022 9:46 AM

To: Thanasombat, Siri@DFEH <Siri.Thanasombat@dfeh.ca.gov>

Cc: maria.mercado@dfeh.ca.gov; Tellado, Tina (LAX - X52442) <Christina.Tellado@hklaw.com>

Subject: Notice of Cause Finding and Mandatory Dispute; Case Name: Kish / TESLA, Inc. dba TESLA Motors. Inc. Case Number: 201906-06540918

Notice of Cause Finding and Mandatory Dispute; Case Name: Kish / TESLA, Inc. dba TESLA Motors. Inc. Case Number: 201906-06540918

Ms Thanasombat:

During our short acquaintance of approximately two weeks, I have consistently and repeatedly reported to DFEH, that I, as lead lawyer for Tesla in this matter, am unavailable for mediation on January 19th and 20th. My latest entreaty was by email and voicemail to you on Friday, prior to your scheduling the mediation for the 20th. If the mandatory mediation condition "[p]rior to filing a civil action" in Section 12965 is to have meaning, the mediation should be scheduled so that each party can attend and in turn meaningfully work to "an effort to resolve the dispute without litigation," as the statute requires. I again respectfully request that you honor the spirit and letter of the statute by allowing me to participate on a date when I am available, rather than unilaterally schedule a date that you now know deprives Tesla of an ability to participate.

As we previously discussed, like you, I am available on February 8th. With respect to scheduling a mandatory mediation on a date both parties are available, you have dictated a condition. Without commenting on the propriety of that condition, Tesla confirms that no settlement of any matter related to the above-captioned matter will take place prior to mediation on February 8th.

To be clear, Tesla does not decline to engage in mandatory mediation and has made this abundantly clear in its several communications with DFEH. Rather it very much wants to participate meaningfully in the mandatory mediation and simply and reasonably seeks the opportunity to have it chosen counsel fully and fairly participate in the mediation of the matter in good faith on a date both parties are available. Please confirm that we will proceed on February 8th.

Sara Begley | Holland & Knight

Partner

Holland & Knight LLP

2929 Arch Street, Suite 800 | Philadelphia, Pennsylvania 19104

Phone 215.252.9531 | Mobile 267.262.1880

sara.begley@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

From: "Thanasombat, Siri@DFEH" <Siri.Thanasombat@dfeh.ca.gov>

Date: January 14, 2022 at 6:20:32 PM EST

To: "Begley, Sara A (PHL - X49531)" <Sara.Begley@hklaw.com>

Cc: "Mercado, Maria@DFEH" <Maria.Mercado@dfeh.ca.gov>, "Tellado, Tina (LAX - X52442)" <Christina.Tellado@hklaw.com>

Subject: RE: Notice of Cause Finding and Mandatory Dispute; Case

Name: Kish / TESLA, Inc. dba TESLA Motors. Inc. Case Number: 201906-06540918

[External email]

Dear Ms. Begley,

I received your voicemail message and email today.

Pursuant to California Government Code section 12965, DFEH has scheduled a mediation in this matter on January 20, 2022, as noted in DFEH's January 3, 2022 correspondence to you. DFEH requests that your client participate in the scheduled mediation. DFEH previously offered to schedule a mediation on January 12, 2022, which you declined. As a courtesy, DFEH will offer a third mediation date on January 19, 2022. Please confirm whether your California counterpart, Christina Tellado, you, or another attorney from your international law firm would be available to represent Tesla at the mediation on January 19 or 20, 2022.

Also, you requested that DFEH extend the mediation date for a month to February 4 or 8, 2022. In order to protect DFEH's rights, DFEH responded on January 11, 2022 and January 14, 2022 stating that DFEH would consider an extension on the condition that Tesla confirms that no other settlement related to the allegations in the DFEH Director's Complaint (DFEH Case No. 201906-06540918) is contemplated or reached by your client during this time. You have not responded.

DFEH looks forward to the mediation on January 19 or 20, 2022. If your client declines to participate in the mediation, please confirm by Tuesday, January 18, 2022.

Siri

From: Begley, Sara A (PHL - X49531) <Sara.Begley@hklaw.com>
Sent: Friday, January 14, 2022 1:20 PM
To: Thanasombat, Siri@DFEH <Siri.Thanasombat@dfeh.ca.gov>
Cc: Mercado, Maria@DFEH <Maria.Mercado@dfeh.ca.gov>; Tellado, Tina (LAX - X52442) <Christina.Tellado@hklaw.com>
Subject: Re: Notice of Cause Finding and Mandatory Dispute; Case Name: Kish / TESLA, Inc. dba TESLA Motors. Inc. Case Number: 201906-06540918

[EXTERNAL] This email originated from outside DFEH. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Siri. I just attempted to reach you at the number below. It appears to be a general mailbox. As I noted in our earliest communication, I am not available on January 20th. We remain available on February 8th and had hoped that the session would be live, but agree to zoom if an in person mediation is not possible. Sara

Sent from my iPhone

On Jan 14, 2022, at 1:46 PM, Thanasombat, Siri@DFEH <Siri.Thanasombat@dfeh.ca.gov> wrote:

[External email]

Dear Ms. Begley,

Thank you for your response. We note that you have not agreed to DFEH's condition regarding an extension to mediate on February 8, rather than in January. Accordingly, a mediation will be scheduled for January 20, 2022 with our Dispute Resolution Division (DRD). DRD will reach out to you with information on how to attend via Zoom and other logistics. We trust that you have received the file in this matter from prior counsel and/or your client which contains the documents that have been produced to us in our investigation. We look forward to discussing these with you at the mediation.

Regards,
Siri

Siri Thanasombat
Associate Chief Counsel
Department of Fair Employment and Housing
Telephone: (916) 478-7251

Fax: (888) 382-5293

Pronouns: she, her, hers

From: Rzepela-Auch, Deborah (PHL - X46866)
<Deborah.Rzepela-Auch@hklaw.com> **On Behalf Of**
Begley, Sara A (PHL - X49531)
Sent: Friday, January 14, 2022 8:25 AM
To: Thanasombat, Siri@DFEH
<Siri.Thanasombat@dfeh.ca.gov>
Cc: Mercado, Maria@DFEH
<Maria.Mercado@dfeh.ca.gov>; Tellado, Tina (LAX -
X52442) <Christina.Tellado@hklaw.com>
Subject: RE: Notice of Cause Finding and Mandatory
Dispute; Case Name: Kish / TESLA, Inc. dba TESLA
Motors. Inc. Case Number: 201906-06540918

[EXTERNAL] This email originated from outside DFEH. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Siri. Thank you for your email. Be assured, the brief request for an extension of the mediation date was not to read or understand the nature of the complaint, but rather the opportunity to review the underlying basis for DFEH's "multi-year" investigation. I remain optimistic that you will provide Tesla, in advance of any mediation, the primary documents, upon which you relied in seeking and receiving approval to issue a cause finding. It is only with this information that Tesla can productively participate in mandatory mediation. We continue to look forward to working in good faith with DFEH.

Sara Begley | [Holland & Knight](#)

Partner

Holland & Knight LLP

2929 Arch Street, Suite 800 | Philadelphia,
Pennsylvania 19104

Phone 215.252.9531 | Mobile 267.262.1880

sara.begley@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

From: Thanasombat, Siri@DFEH
<Siri.Thanasombat@dfeh.ca.gov>
Sent: Tuesday, January 11, 2022 7:53 PM
To: Begley, Sara A (PHL - X49531)

<Sara.Begley@hklaw.com>

Cc: Tellado, Tina (LAX - X52442)

<Christina.Tellado@hklaw.com>; Mercado,

Maria@DFEH <Maria.Mercado@dfeh.ca.gov>

Subject: RE: Notice of Cause Finding and Mandatory Dispute; Case Name: Kish / TESLA, Inc. dba TESLA Motors. Inc. Case Number: 201906-06540918

[External email]

Dear Ms. Begley,

Thank you for your correspondence dated January 11, 2022.

DFEH is willing to agree to mediate on the latter of your two available dates (February 8) on the condition that Tesla confirms that no other settlement related to the allegations in the DFEH Director's Complaint (DFEH Case No. 201906-06540918) will be reached before this date.

Regarding your request for "evidentiary support and reasoning" for DFEH's cause finding, DFEH has conducted a multi-year investigation, including investigation discovery, into the allegations in DFEH Director's Complaint. DFEH is confident that the month-long period before the mediation date will provide sufficient time for your client to advise you as new counsel (the fourth firm Tesla has retained in this investigative matter) about the DFEH Director's Complaint. As previously noted, DFEH is also prepared to discuss your questions about its findings during the mediation.

Please let us know whether Tesla can confirm our request above. After we receive your response, DFEH can confirm our availability to mediate on February 8, 2022. We look forward to the possibility of meeting with you.

Siri

Siri Thanasombat
Associate Chief Counsel
Department of Fair Employment and Housing
Telephone: (916) 478-7251
Fax: (888) 382-5293
Pronouns: she, her, hers

From: Rzepela-Auch, Deborah (PHL - X46866)
<Deborah.Rzepela-Auch@hklaw.com> **On Behalf Of**
Begley, Sara A (PHL - X49531)
Sent: Tuesday, January 11, 2022 2:26 PM
To: Thanasombat, Siri@DFEH
<Siri.Thanasombat@dfeh.ca.gov>; Mercado,
Maria@DFEH <Maria.Mercado@dfeh.ca.gov>
Cc: Tellado, Tina (LAX - X52442)
<Christina.Tellado@hklaw.com>
Subject: RE: Notice of Cause Finding and Mandatory
Dispute; Case Name: Kish / TESLA, Inc. dba TESLA
Motors. Inc. Case Number: 201906-06540918

[EXTERNAL] This email originated from outside DFEH. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Thanasombat and Ms. Mercado. Please see the attached correspondence. Feel free to give me a call to discuss. I can be reached at (267) 262-1880.

Sara Begley | Holland & Knight

Partner

Holland & Knight LLP

2929 Arch Street, Suite 800 | Philadelphia,
Pennsylvania 19104

Phone 215.252.9531 | Mobile 267.262.1880

sara.begley@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

From: Mercado, Maria@DFEH
<Maria.Mercado@dfeh.ca.gov>
Sent: Monday, January 10, 2022 7:59 PM
To: Begley, Sara A (PHL - X49531)
<Sara.Begley@hklaw.com>; Tellado, Tina (LAX - X52442)
<Christina.Tellado@hklaw.com>
Cc: Thanasombat, Siri@DFEH
<Siri.Thanasombat@dfeh.ca.gov>
Subject: RE: Notice of Cause Finding and Mandatory
Dispute; Case Name: Kish / TESLA, Inc. dba TESLA
Motors. Inc. Case Number: 201906-06540918

[External email]

Hi Sara,

We have not yet heard back from you about available dates for a mediation. Could you please provide us with

all your open dates in January 2022 by the close of business tomorrow, Tuesday, 1/11/2022?

Thank you,
Maria Mercado
Consultant III (Specialist)
Department of Fair Employment & Housing
2218 Kausen Drive, Suite 100
Elk Grove, CA 95758
916-585-8155

CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

From: Mercado, Maria@DFEH
Sent: Thursday, January 6, 2022 3:25 PM
To: Begley, Sara A (PHL - X49531)
<Sara.Begley@hklaw.com>; Tellado, Tina (LAX - X52442)
<Christina.Tellado@hklaw.com>
Cc: Thanasombat, Siri@DFEH
<Siri.Thanasombat@dfeh.ca.gov>
Subject: RE: Notice of Cause Finding and Mandatory
Dispute; Case Name: Kish / TESLA, Inc. dba TESLA
Motors. Inc. Case Number: 201906-06540918

Dear Counsel,

Thank you for your correspondence dated January 4, 2022. Since you have a conflict on the dates DFEH proposed for the mediation, please provide all your available dates in the month of January 2022. DFEH will select a mutually convenient date from these available windows.

As stated in DFEH's Notice of Cause Finding and Mandatory Dispute Resolution issued on January 3, 2022, the cause finding specifically relates to *Kish / TESLA, Inc. dba TESLA Motors. Inc.*, DFEH Case No. 201906-06540918. We are proceeding with the administrative process on the other two charges, *Michael Allen v. Tesla, Inc.*, DFEH Case No. 202003-09592113 and *Marquis Hatcher v. Tesla, Inc.*, DFEH Case No. 202006-10361408.

DFEH will discuss the evidentiary support and reasoning for its cause finding at the mediation.

Respondent's confidential brief can be submitted to the Dispute Resolution Department's mediator who will be assigned based upon your availability in January.

We look forward to obtaining your available dates for the mediation.

Thank you,
Maria Mercado
Consultant III (Specialist)
Department of Fair Employment & Housing
2218 Kausen Drive, Suite 100
Elk Grove, CA 95758
916-585-8155

CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

From: Rzepela-Auch, Deborah (PHL - X46866)
<Deborah.Rzepela-Auch@hklaw.com> **On Behalf Of**
Begley, Sara A (PHL - X49531)
Sent: Tuesday, January 4, 2022 5:26 PM
To: Mercado, Maria@DFEH
<Maria.Mercado@dfeh.ca.gov>
Cc: Tellado, Tina (LAX - X52442)
<Christina.Tellado@hklaw.com>
Subject: RE: Notice of Cause Finding and Mandatory
Dispute; Case Name: Kish / TESLA, Inc. dba TESLA
Motors. Inc. Case Number: 201906-06540918

[EXTERNAL] This email originated from outside DFEH. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Mercado. In response to your letter dated January 3, 2022, please see the attached in the above-referenced matter.

Sara Begley | Holland & Knight
Partner
Holland & Knight LLP

2929 Arch Street, Suite 800 | Philadelphia,
Pennsylvania 19104
Phone 215.252.9531 | Mobile 267.262.1880
sara.begley@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

From: Mercado, Maria@DFEH
<Maria.Mercado@dfeh.ca.gov>
Sent: Monday, January 3, 2022 7:35 PM
To: Tellado, Tina (LAX - X52442)
<Christina.Tellado@hklaw.com>; Begley, Sara A (PHL - X49531) <Sara.Begley@hklaw.com>
Subject: Notice of Cause Finding and Mandatory
Dispute; Case Name: Kish / TESLA, Inc. dba TESLA
Motors. Inc. Case Number: 201906-06540918

[External email]
Good afternoon,

This is a courtesy email with the attached Notice of
Cause Finding and Mandatory Dispute Resolution for
the Case Name: Kish / TESLA, Inc. dba TESLA Motors.
Inc. Case Number: 201906-06540918.

A hard copy went out via Certified mail today.

Thank you,
Maria Mercado
Consultant III (Specialist)
Department of Fair Employment & Housing
2218 Kausen Drive, Suite 100
Elk Grove, CA 95758
916-585-8155

CONFIDENTIALITY NOTICE: This communication with its contents
may contain confidential and/or legally privileged information. It is
solely for the use of the intended recipient(s). Unauthorized
interception, review, use or disclosure is prohibited and may violate
applicable laws including the Electronic Communications Privacy Act.
If you are not the intended recipient, please contact the sender and
destroy all copies of the communication.

NOTE: This e-mail is from a law firm, Holland & Knight LLP
("H&K"), and is intended solely for the use of the individual(s) to
whom it is addressed. If you believe you received this e-mail in
error, please notify the sender immediately, delete the e-mail
from your computer and do not copy or disclose it to anyone else.
If you are not an existing client of H&K, do not construe anything
in this e-mail to make you a client unless it contains a specific
statement to that effect and do not disclose anything to H&K in
reply that you expect it to hold in confidence. If you properly
received this e-mail as a client, co-counsel or retained expert of
H&K, you should maintain its contents in confidence in order to

preserve the attorney-client or work product privilege that may be available to protect confidentiality.

Holland & Knight

Cira Centre, Suite 800 | 2929 Arch Street | Philadelphia, PA 19104 | T 215.252.9600 | F 215.867.6070
Holland & Knight LLP | www.hklaw.com

Sara A. Begley
+1 215-252-9531
Sara.Begley@hklaw.com

February 3, 2022

Via E-mail (siri.thanasombat@dfeh.ca.gov)

Siri Thanasombat
Associate Chief Counsel
Department of Fair Employment & Housing
2218 Kausen Drive, Suite 100
Elk Grove, CA 95758

Re: Case Number: 201906-06540918
Case Name: Kish / TESLA, Inc. dba TESLA Motors Inc.

Dear Ms. Thanasombat:

We write to confirm that mediation scheduled for February 8, 2022 is moving forward as scheduled, as we just received a cancellation of the Outlook invite containing the Zoom link for the February 8 mandatory mediation. This is somewhat unsettling since we last heard that the mediator assigned to the matter, Angela Oh, was unilaterally removed from her role as mediator and replaced by another DFEH mediator without explanation.

We continue to look forward to a good faith mediation and request once again the documentation you contend support your cause finding which you advised would be shared at the mediation. Given the scale and breadth of DFEH's investigation, it seems unrealistic to expect a meaningful and productive dialogue if the documentation of your findings is provided to Tesla for the first time at mediation, particularly one that the DFEH has scheduled for only three hours.

Finally, would you be so kind to confirm whether an individual with authority to resolve this matter will be present during the February 8 mediation.

Sincerely yours,

HOLLAND & KNIGHT LLP



Sara A. Begley

SAB/jp

cc: Christina Tellado, Esquire